

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FIRST ACT INC.

Plaintiff

v.

KIDZ TOYZ, INC. and  
CHRISTMAS TREE SHOPS, INC.

Defendants

Civil Action No. 03-12507-EFH

FILED  
CLERK'S OFFICE  
2004 JAN 14 A 10:40  
U.S. DISTRICT COURT  
DISTRICT OF MASS

**SECOND STIPULATION TO ENLARGE PERIOD FOR DEFENDANT  
KIDZ TOYZ, INC. TO OPPOSE MOTION FOR PRELIMINARY  
INJUNCTION AND TO ANSWER COMPLAINT**

Plaintiff, First Act Inc., and defendant Kidz Toyz, Inc. (the "Stipulating Parties") hereby stipulate to enlarge the period for defendant Kidz Toyz, Inc. to oppose the Motion for Preliminary Injunction and to answer the Complaint (served on or about December 17, 2003), through and including **Friday, January 30, 2004.**

In support of this Stipulation, the Stipulating Parties state that they are attempting to negotiate a resolution to this dispute. Unfortunately, defendant's principal has been traveling in the Far East, which has made communication difficult. The Stipulating Parties respectfully request the Court's approval of this Stipulation.

FIRST ACT INC.

By its attorneys,

Joel R. Leeman (JCL)

Joel R. Leeman (BBO # 292070)  
Erik Paul Belt (BBO# 558620)  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
Telephone: (617) 443-9292

KIDZ TOYZ, INC.

By its attorneys,

Jason C. Kravitz (JCK)

Jason C. Kravitz (BBO # 565904)  
Nicholas G. Papastavros (BBO # 635742)  
Nixon Peabody LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: (617) 345-1318

Dated: January 14, 2004

Having reviewed the above Stipulation, IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Harrington, J.  
United States District Judge



**NIXON PEABODY LLP**  
ATTORNEYS AT LAW

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U.S. DISTRICT COURT  
DISTRICT OF MASS

January 14, 2004

BY HAND

Civil Clerk  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
Fan Pier  
1 Courthouse Way  
Boston, MA 02210

RE: First Act Inc. v. Kidz Toyz, Inc. and Christmas Tree Shops, Inc.  
C.A. No. 03-12507-EFH

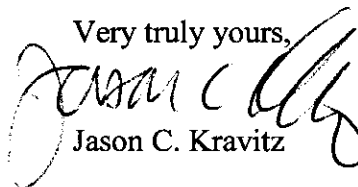
Dear Sir/Madam:

Enclosed for filing in connection with the above-entitled matter is Second Stipulation to Enlarge Period for Defendant Kidz Toyz, Inc. to Oppose Motion for Preliminary Injunction and to Answer Complaint.

Please date-stamp the enclosed duplicate copy of this letter and return same to the messenger.

Thank you for your attention and assistance.

Very truly yours,



Jason C. Kravitz

JCK/adb  
Enclosure

cc: Joel R. Leeman, Esquire  
Christmas Tree Shops

BOS1344512.1